

Introduced by Committee on Environmental Quality (Senators Sher (Chair), Chesbro, Figueroa, Kuehl, McPherson, and Romero)

March 1, 2004

An act to amend Sections 40183, 49120, and 49300 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 1886, as introduced, Committee on Environmental Quality. Solid waste: incorporated cities.

Existing law defines a "rural city" for purposes of certain provisions relating to waste management as an incorporated city that meets certain conditions.

Existing law authorizes the formation of garbage and refuse disposal districts under certain conditions, including that the governing board of a district that includes only one incorporated city have 2 members selected by the board of supervisors and one member selected by the city council.

Existing law authorizes the legislative body of an incorporated city to contract for garbage collection and disposal, as specified.

This bill would remove the requirement that the city in the provisions described above be incorporated.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 40183 of the Public Resources Code is
2 amended to read:

1 40183. (a) “Rural city” means either of the following:

2 (1) ~~An incorporated~~ A city that has a geographic area of less
3 than three square miles, has a current waste disposal rate of less
4 than 100 cubic yards per day, or 60 tons per day, and is located in
5 a rural area.

6 (2) ~~An incorporated~~ A city that has a population density of less
7 than 1,500 people per square mile, has a current waste disposal rate
8 of less than 100 cubic yards per day, or 60 tons per day, and is
9 located in a rural area.

10 (b) Nothing in this section shall affect any reduction granted to
11 a rural city or rural county by the board pursuant to Section 41787
12 prior to September 1, 1994.

13 SEC. 2. Section 49120 of the Public Resources Code is
14 amended to read:

15 49120. (a) Within 30 days after the filing with the Secretary
16 of State of the certified copy of the order of formation, a governing
17 board of trustees for the district shall be appointed.

18 (b) The governing board of a district is a board of directors of
19 not less than three members. The district board shall be appointed
20 as follows:

21 (1) If the district includes only one ~~incorporated~~ city, two
22 members of the governing body shall be selected by the board of
23 supervisors and one member of the governing body shall be
24 selected by the city council.

25 (2) If the district includes two or more cities, only one member
26 of the governing body of the district shall be selected by the board
27 of supervisors to represent the unincorporated area. The legislative
28 body of each city within the district shall appoint one member to
29 represent each incorporated city within the district. If the selection
30 of members pursuant to this subdivision results in the governing
31 body having an even number of members, those members may
32 appoint an additional member from the district at large.

33 (c) A vacancy shall be filled in the same manner as an original
34 appointment. The person appointed shall reside within the area he
35 or she represents.

36 SEC. 3. Section 49300 of the Public Resources Code is
37 amended to read:

38 49300. The legislative body of ~~any incorporated~~ a city may
39 contract for the collection or disposal, or both, of garbage, waste,
40 refuse, rubbish, offal, trimmings, or other refuse matter under the

- 1 terms and conditions that are prescribed by the legislative body of
- 2 the city by resolution or ordinance.

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